# PROPOSED AMENDMENT TO THE EXPOSURE OF A PERSON LAW

## PROPOSAL ONE

*PENALA*

(Eliminates those sections of *exposure of a person* statutes that discriminate against women.)

## AN ACT

to amend the penal law and the general municipal law to establish common definitions of exposure for women and men.

1. Section 245.01 of such law, as amended by chapter six hundred thirty-three of the laws of nineteen hundred eighty-four, is amended to read as follows:

**245.01 Exposure of a person.**

A person is guilty of exposure if he appears in a public place in such a manner that the private or intimate parts of his body are unclothed or exposed. **[For purposes of this section, the private or intimate parts of a female person shall include that portion of the breast which is below the top of the areola.]** This section shall not apply **[to the breastfeeding of infants or]** to any person entertaining or performing in a play, exhibition, show or entertainment.

Exposure of a person is a violation.

Nothing in this section shall prevent the adoption by a city, town or village of a local law prohibiting exposure of a person as herein defined in a public place, at any time, whether or not such person is entertaining or performing in a play exhibition, show or entertainment.

2. Section 245.02 of such law, as amended by chapter six hundred thirty-three of the laws of nineteen hundred eighty-four, is amended to read as follows:

**245.02 Promoting the exposure of a person.**

A person is guilty of promoting the exposure of a person when he knowingly conducts, maintains, owns, manages, operates or furnishes any public premise or place where a person in a public

place appears in such a manner that the private or intimate parts of his body are unclothed or exposed. **[For purposes of this section, the private or intimate parts of a female person shall include that portion of the breast which is below the areola.]** This section shall not apply **[to the breastfeeding of infants or]** to any person entertaining or performing in a play, exhibition, show or entertainment.

Promoting the exposure of a person is a violation.

Nothing in this section shall prevent the adoption by a city, town or village of a local law prohibiting the exposure of a person substantially as herein defined in a public place, at any time whether or not such person is entertaining or performing in a play, exhibition, show or entertainment.

3. This act shall take effect of the first day of January next succeeding the date on which it shall have become a law.